



11W 2173 #

PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

May 26, 2005

Date

Wendy Thomas

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kenneth H. Abbott et al.  
Application No. : 09/907,008  
Filed : July 16, 2001  
For : THEMATIC RESPONSE TO A COMPUTER USER'S CONTEXT,  
SUCH AS BY A WEARABLE PERSONAL COMPUTER

Examiner : Tadesse Hailu  
Art Unit : 2173  
Docket No. : 890057.408C5  
Date : May 26, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents:

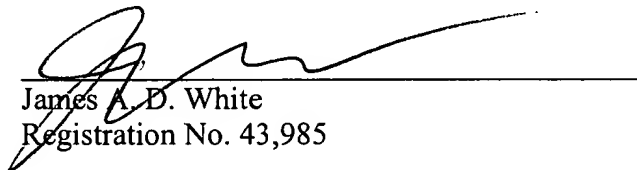
In accordance with 37 CFR 1.56 and 1.97 through 1.98, applicants wish to make known to the U.S. Patent and Trademark Office the references set forth on the attached Form PTO-1449. Copies of the cited U.S. patents and published patent applications are not required and accordingly have not been provided. Copies of all other cited references are enclosed. As to any reference cited, applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 CFR 1.131 or other method. Although the aforesaid references are made known to the

Patent and Trademark Office in compliance with applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, applicants believe that their invention is patentable.

Please acknowledge receipt of this Second Supplemental Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

A fee of \$180 is submitted in accordance with 37 CFR 1.97(c). The Director is authorized to charge any other fees which may be required, or credit any overpayment to Deposit Account No. 19-1090.

Respectfully submitted,  
Seed Intellectual Property Law Group PLLC



James A. D. White  
Registration No. 43,985

Enclosures:

Postcard  
Check  
Form PTO-1449  
Cited References (16)

701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092  
Phone: (206) 622-4900  
Fax: (206) 682-6031

564879



# TRANSMITTAL FORM

(To be used for all correspondence  
after initial filing)

Application Number	09/907,008
Filing Date	July 16, 2001
First Named Inventor	Kenneth H. Abbott
Art Unit	2173
Examiner Name	Tadesse Hailu
Attorney Docket No.	890057.408C5

## ENCLOSURES (check all that apply)

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                               | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> After Allowance<br>Communication to TC   |
| <input checked="" type="checkbox"/> Fee Attached                                       | <input type="checkbox"/> Request for Corrected Filing<br>Receipt                               | <input type="checkbox"/> Appeal Communication to<br>Board of Appeals and<br>Interferences               |
| <input type="checkbox"/> Amendment/Response  | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to<br>TC ( <i>Appeal Notice, Brief,<br/>Reply Brief</i> ) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition  | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                                     | <input type="checkbox"/> Petition to Convert to a<br>Provisional Application                   | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                                     | <input type="checkbox"/> Power of Attorney,<br>Revocation, Change of<br>Correspondence Address | <input checked="" type="checkbox"/> Return Receipt Postcard   |
| <input type="checkbox"/> Express Abandonment<br>Request                                | <input type="checkbox"/> Declaration   | <input type="checkbox"/> Other Enclosure(s) ( <i>please<br/>identify below</i> ):                       |
| <input checked="" type="checkbox"/> Information Disclosure<br>Statement; Form PTO-1449 | <input type="checkbox"/> Statement under 37 CFR<br>3.73(b)                                     | _____   |
| <input checked="" type="checkbox"/> Cited References                                   | <input type="checkbox"/> Terminal Disclaimer   | _____   |
| <input type="checkbox"/> Certified Copy of Priority<br>Document(s)                     | <input type="checkbox"/> Request for Refund  | _____   |
| <input type="checkbox"/> Response to Missing Parts<br>under 37 C.F.R. 1.52 or 1.53     | <input type="checkbox"/> CD, Number<br>of CD(s) _____  | _____   |
| <input type="checkbox"/> Response to Missing<br>Parts/Incomplete Application           | <input type="checkbox"/> Landscape Table on CD   | _____   |

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Seed Intellectual Property Law Group PLLC	Customer Number	00500
Signature			
Printed Name	James A. D. White		
Date	May 26, 2005	Reg. No.	43,985

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

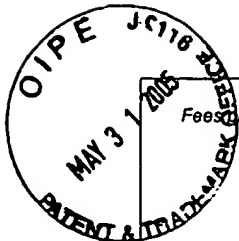
Typed or printed name

Wendy Thomas

Date: May 26, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

595145\_1.DOC



Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL for FY 2005

## Complete if Known

Application Number	09/907,008
Filing Date	July 16, 2001
First Named Inventor	Kenneth H. Abbott
Examiner Name	Tadesse Hailu
Art Unit	2173
Attorney Docket No.	890057.408C5

☒ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$)**180**

### METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: **19-1090** Deposit Account Name: **Seed IP Law Group PLLC**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, **except for the filing fee**

☐ Charge any additional fee(s) or underpayments

☒ Charge any underpayments or credit any overpayments

of fee(s) under 37 CFR 1.16 and 1.17

**Warning:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Provisional	200	100	0	0	0	0	_____

#### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	<u>Small Entity</u> Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>
_____ -20 or HP = _____	X	_____ = _____	_____	<u>Fee (\$)</u> <u>Fee Paid (\$)</u>

HP = highest number of total claims paid for, if greater than 20

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
_____ -3 or HP = _____	X	_____ = _____	_____

HP = highest number of independent claims paid for, if greater than 3

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)) the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
_____ -100 = _____	/50 = _____	_____ (round up to a whole number) x _____	_____	_____

#### 4. OTHER FEE(S)

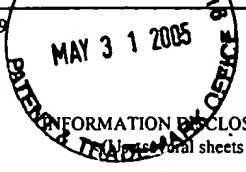
Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Submission of 2nd Supplemental Information Disclosure Statement

**180**

### SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	43,985	Telephone	206-622-4900
Name (Print/Type)	James A. D. White	Date	May 26, 2005		

FORM PTO-1449 (REV.7-80)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO.	APPLICATION NO.
			890057.408C5	09/907,008
			APPLICANTS Kenneth H. Abbott et al.	
INFORMATION AND CLOSURE STATEMENT (Attach additional sheets if necessary)		FILING DATE	GROUP ART UNIT	
		July 16, 2001	2173	

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,388,198	02/07/95	Layman et al.	395	155	
	AB	5,506,580	04/09/96	Whiting et al.	341	51	
	AC	5,537,618	07/16/96	Boulton et al.	395	161	
	AD	5,539,665	07/23/96	Lamming et al.	364	514 R	
	AE	5,544,321	08/06/96	Theimer et al.	395	200.11	
	AF	5,601,435	02/11/97	Quy	434	307 R	
	AG	5,603,054	02/11/97	Theimer et al.	395	826	
	AH	5,751,260	05/12/98	Nappi et al.	345	8	
	AI	5,966,533	10/12/99	Moddy	395	702	
	AJ	5,983,335	11/09/99	Dwyer, III	712	23	
	AK	6,014,638	01/11/00	Burge et al.	705	27	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AL	WO 98/47084	10/22/98	WIPO		
	AM	WO 99/17228	04/08/99	WIPO		

OTHER PRIOR ART *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	AN	Bauer et al., "A Collaborative Wearable System with Remote Sensing," University of Oregon, Proceedings of the 2 <sup>nd</sup> IEEE International Symposium on Wearable Computers, October 1998.
	AO	Fickas, S., et al., "Software Organization for Dynamic and Adaptable Wearable Systems," University of Oregon, Proceedings of the 1 <sup>st</sup> International Symposium on Wearable Computers, October 1997, 8 pages.
	AP	Finger et al., "Rapid Design and Manufacture of Wearable Computers," Communication of the ACM, Vol. 39, No. 2, February 1996, pp. 63-70.
	AQ	Gabbard, J., et al., "A Taxonomy of Usability Characteristics in Virtual Environments," November 1997, can be retrieved from <a href="http://csgrad.cs.vt.edu/~jgabbard/ve/taxonomy/">http://csgrad.cs.vt.edu/~jgabbard/ve/taxonomy/</a> , 190 pages.

EXAMINER	DATE CONSIDERED
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\* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).

FORM PTO-1449 (REV. 7-99)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 890057.408C5	APPLICATION NO. 09/907,008
INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		APPLICANTS Kenneth H. Abbott et al.	
		FILING DATE July 16, 2001	GROUP ART UNIT 2173

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BA	6,041,331	03/21/00	Weiner et al.	707	103	
	BB	6,127,990	10/03/00	Zwern	345	8	
	BC	6,188,399	02/13/01	Voas et al.	345	334	
	BD	6,294,953	09/25/01	Steeves	329	341	
	BE	6,405,159	06/11/02	Bushey et al.	703	13	
	BF	6,462,759	10/08/02	Kurtzberg et al.	345	803	
	BG	6,513,046	01/28/03	Abbott, III et al.	707	104.1	
	BH	6,549,915	04/15/03	Abbott, III et al.	707	104.1	
	BI	6,571,279	05/27/03	Herz et al.	709	217	
	BJ	6,747,675	06/08/04	Abbott et al.	345	740	
	BK	6,791,580	09/14/04	Abbott et al.	345	744	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	BL					

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	BM	Gavrilova, T., et al., "An Approach to Mapping of User Model to Corresponding Interface Parameters," 1997, pp. 24-29, can be retrieved from <a href="http://citiseer.nj.nec.com/context/109679/352175">http://citiseer.nj.nec.com/context/109679/352175</a> .
	BN	Kortuem et al., "Context-Aware, Adaptive Wearable Computers as Remote Interfaces to 'Intelligent' Environments," University of Oregon, October 1998.
	BO	Mann, S., "'Smart Clothing': Wearable Multimedia Computing and 'Personal Imaging' to Restore the Technological Balance Between People and Their Environments," <i>ACM Multimedia 1996 Proceedings</i> , pp. 163-174, November 1996.
	BP	Rekimoto et al., "The World Through the Computer: Computer Augmented Interaction with Real World Environments," Symposium on User Interface Software and Technology 1995, ACM Press, November 1995, pp. 29-36.

EXAMINER	DATE CONSIDERED
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FORM PTO-1449 (Rev. 7-80)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 890057.408C5	APPLICATION NO. 09/907,008
INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		APPLICANTS Kenneth H. Abbott et al.	
		FILING DATE July 16, 2001	GROUP ART UNIT 2173

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	CA	6,801,223	10/05/04	Abbott et al.	345	740	
	CB	6,812,937	11/02/04	Abbott et al.	345	740	
	CC	2002/0032689	03/14/02	Abbott, III et al.	707	104.1	
	CD	2003/0154476	08/14/03	Abbott, III et al.	725	37	
	CE	09/724,777		Abbott et al.			11/28/00
	CF	09/724,799		Abbott et al.			11/28/00
	CG	09/724,892		Abbott et al.			11/28/00
	CH						
	CI						
	CJ						
	CK						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	CL					
	CM					
	CN					

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	CP	Rogers, E., et al., "Outbreak Agent: Intelligent Wearable Technology for Hazardous Environments," 1997 IEEE International Conference on Systems, Man and Cybernetics, Orlando Florida, October 12-15, 1997, pp. 3198-3203.
	CQ	Smailagic et al., "Matching Interface Design with User Task: Modalities of Interaction with CMU Wearable Computers," IEEE Personal Communications, February 1996, pp. 14-25.
	CR	Starner et al., "Visual Contextual Awareness in Wearable Computing," Media Lab, MIT, October 1998.

EXAMINER	DATE CONSIDERED
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